

FOR EUROPE & AMERICA
INDIA, AUSTRALIA, &c., and for
PRIVATE RESIDENTS AT THE
OUTPOSTS
A Comprehensive and Complete
Record of the
NEWS OF THE FAR EAST
is given in the
HONGKONG WEEKLY
PRESS,
with which is incorporated the
CHINA OVERLAND TRADE REPORT
Subscription, paid in advance,
\$12 per annum. Postage to any
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Hongkong Daily Press.

ESTABLISHED 1857

BOVRIL
should be in every home as well
as in every hospital.
When you are worried and
cannot eat well nor sleep well,
you will find a great help in
BOVRIL.
BEWARE OF CHEAP IMITATIONS.
By Royal Warrant to
His Majesty the King.

No. 15,809. 號九零百八千五萬一第 日五念月一十年四十三緒光 HONGKONG, FRIDAY, DECEMBER 18TH, 1908. 五拜禮 號八十月二十年八零百九千一英港香 PRICE, \$3 PER MONTH.

**TOM SMITH'S
CRACKERS**
OF THE FINEST QUALITY IN
GREAT VARIETY.
SPECIAL DESIGNS FOR TABLE
DECORATION.
**A. S. WATSON & CO.,
LIMITED.**
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[a32]

NEW PIANOS
ON HIRE
AT \$10 PER MONTH.
TUNING AND
REGULAR
ATTENTION
INCLUSIVE.

**S. MOUTRIE & CO.,
LIMITED.**
CHATER ROAD.
Hongkong, 1st October, 1908. [a1375-1]

GREEN ISLAND CEMENT COMPANY
PORTLAND CEMENT.
In Casks 375 lbs. net \$5.50 per cask ex-Factory.
In Bags 250 lbs. net \$3.45 per bag ex-Factory.
SHEWAN, TOMES & CO.,
General Managers.
Hongkong, 29th April, 1908. [a1647]

THE GRAND HOTEL.
DIVISION STREET, KOBE.
FIRST-CLASS CUISINE.
COMFORTABLE & AIRY BEDROOMS.
Situated in close proximity to the Harbour
and Railway Station.
BEST WINES AND LIQUORS SUPPLIED.
Special arrangements for a long stay.
F. DOMBALLE, Proprietor.
M. MAIDLE, [a1375-1]

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LIMITED.**
TIME TABLE.
WEEK DAYS.
7.00 a.m. to 9.30 a.m. Every 10 minutes.
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12.45 p.m. to 1.15 p.m. Every 15 minutes.
1.15 p.m. to 1.45 p.m. Every 15 minutes.
1.45 p.m. to 2.15 p.m. Every 15 minutes.
2.15 p.m. to 3.00 p.m. Every 15 minutes.
3.30 p.m. to 6.00 p.m. Every 15 minutes.
6.00 p.m. to 8.00 p.m. Every 10 minutes.
NIGHT CARS.
8.45 p.m. & 9.00 p.m. 9.45 to 11.15 p.m.
every 15 minutes.
SATURDAYS.
Extra Cars at 11.30 p.m. and 11.45 p.m.
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8.00 a.m. to 9.00 a.m. Every 15 minutes.
9.00 a.m. to 9.30 a.m. Every 30 minutes.
9.30 a.m. to 10.30 a.m. Every 15 minutes.
10.00 a.m. to 11.00 a.m. Every 15 minutes.
11.45 a.m. to 12.00 Noon. Every 15 minutes.
12.00 Noon to 1.00 p.m. Every 15 minutes.
1.00 p.m. to 5.00 p.m. Every 15 minutes.
5.00 p.m. to 6.00 p.m. Every 10 minutes.
6.00 p.m. to 7.00 p.m. Every 15 minutes.
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NIGHT CARS at 8.45 p.m. & 9.00 p.m. 9.45 to
11.15 p.m. every half hour.
SPECIAL CARS by arrangement at the
Company's Office, Alexandra Buildings, Des
Voeux Road Central.
JOHN D. HUMPHREYS & SON,
General Managers.
Hongkong, 9th May, 1907. [a1374]

司公木興昌商英
THE PACIFIC COAST LUMBER MILLS, LTD.
VANCOUVER, BRITISH COLUMBIA, CANADA.
MANUFACTURERS OF
**DOUGLAS FIR (OREGON PINE)
TIMBERS**
FOR
DOCK-YARDS: DECKING, SHEATHING, TIMBERS, SPARS, &c.
RAILWAYS: SLEEPERS, TIMBERS, FILES AND CAIL-STOCK.
Shipments made direct from our Saws to the Consumer in South-China.
THOS. W. KYDD, Oriental Representative,
Telephone 373. Office No. 30, Prince's Buildings, Opposite King Edward Hotel.
Hongkong, 14th November, 1908. [a1555]

WATKINS LIMITED,
CHEMISTS AND DRUGGISTS.
HAVE JUST UNPACKED A FINE ASSORTMENT OF HIGH CLASS
CHOCOLATES AND CONFECTIONERY
CADBURY'S CHOCOLATES, IN TINS ASSORTED.
ROWNTREE'S CHOCOLATES, IN BEAUTIFUL FANCY BOXES.
PASCALL'S SWEETS, IN BOTTLES.
CRACKERS, IN GREAT VARIETY.
OUR STOCK IS LARGE AND WORTH SEEING.
COME EARLY, BUY EARLY, YOU GET A BETTER PICK.

WATKINS LIMITED.
THE APOTHECARY'S HALL,
31, Queen's Road Central.
Hongkong, 5th December, 1908. [a918]

CUTLER, PALMER & CO.,
WINE & SPIRIT MERCHANTS
OF
LONDON, INDIA, CHINA, JAPAN AND AUSTRALIA.
ESTABLISHED 1835.
Per Case.
BRANDY ★★★★★ - - - \$22.50
" ★★★★★ - - - 20.00
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WHISKY, PALL MALL - - - 20.00
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" OLD HIGHLAND - - - 10.50
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PORT WINE, INVALIDS - - - 20.00
" DOURO - - - 13.50
SHERRY, FINE SUPERIOR - - - 14.75
" LA TORRE - - - 16.00
" OLD EAST INDIA - - - 18.50
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BENEDICTINE, D.O.M. - - - QTS. 40.00 Pts. 42.00

THE ABOVE ARE EXCLUSIVELY SHIPPED TO
SIEMSEN & CO.,
HONGKONG AGENTS.
[a45]

LANE, CRAWFORD & CO.
XMAS PRESENTS
CHOICEST PERFUMES
IN CUT GLASS BOTTLES IN ELEGANT CASKETS.
ARTISTIC BOXES
OF CHOCOLATES AND CONFECTIONERY.
A CHOICE ASSORTMENT OF
INEXPENSIVE PRESENTS
SUITABLE FOR
WHIST AND BRIDGE PARTIES
DRESDEN WARE, TERRA COTTA FIGURES.
CLOCKS, PHOTO FRAMES, &c.
TOYS, DOLLS, GAMES, &c.
LANE, CRAWFORD & CO.
Hongkong, 25th December, 1908. [a32]

CHAMPAGNES.
POMMERY & GREN
BOLLINGER & CO.
GIESLER & CO.
FOL ROGER
LANSON PERE ET FILS
DUO DE MONTEBELLO.
BROY & CO.
PAUL DOUMMIER & CO.
LOUIS RENAU.
WINE & SPIRIT MERCHANTS.
15, Queen's Road Central.
[a34]
Hongkong, 12th December, 1908.

PUBLIC AUCTION.
THE Undersigned have received instructions to Sell by Public Auction,
within their SALES ROOMS,
FOR ACCOUNT OF THE CONCERNED,
TO-DAY (FRIDAY),
the 18th DECEMBER, commencing at 2.30 p.m.,
A RARE COLLECTION OF EXAMPLES OF
JAPANESE HIGH ART.
This Collection was gathered together by prominent Members of the Art Society of
Japan for display in the ART GALLERY at Tokyo on the occasion of the Great Exhibition
arranged to take place during 1912, on account of the postponement of which the collection
has been brought to this City for Sale.
Such an opportunity of acquiring objects of Japanese High Art seldom occurs.
On View TO-DAY (WEDNESDAY), the 16th inst.
Catalogue will be issued.
Terms—As usual.
HUGHES & HOUGH,
AUCTIONEERS.
[a1663]
Hongkong, 16th December, 1908.

TRADE MARK
The GOLD MEDAL for Quality in the
Franco-British Exhibition has been awarded to
"WHITE HORSE" To His Majesty
THE KING.
By Royal Appointment.
WHISKY.
LANE, CRAWFORD & CO.
SOLE AGENTS.
MACKIE & CO. DISTILLERS LTD.
LAGAVULIN DISTILLERY, ISLAY.
MALF-MILL
CHANGELACHIE, GLENLIVET
Estab. 1742
Quality
the Secret of
Success.
\$15 PER DOZ.
NOTE—Any persons proved guilty of re-filling our empty bottles with inferior Whisky
will be refused supplies. [a33]

PUBLIC AUCTION
OF
A MAGNIFICENT COLLECTION OF
OIL-PAINTINGS,
FROM THE
PARIS SALON
COMPRISING PAINTINGS BY THE WELL-KNOWN ARTISTS:
CHARBENTIER, RENARD, SERRET, DIDIER, FINGGERA, FERRY, PAULUS,
DUPIN, GERARD, LIONETTI, CONSTANTIN, MAYARD, MONTREN,
LENCHIE, HOLMSTEDT, ARTOT, BERQUIN, ETC., ETC.
ON MONDAY AND TUESDAY,
the 21st and 22nd DECEMBER, 1908, commencing each day at 2.30 p.m., in the
CITY HALL (ST. ANDREW'S).
N.B.—The attention of the public is drawn to this opportunity of purchasing valuable
works of art which are the finest that have ever been offered for sale in this Colony.
Catalogues on application.
GEO. P. LAMBERT,
AUCTIONEER.
[a1665]
Hongkong, 15th December, 1908.

BREWER & CO., LIMITED.
PEDDER STREET—Adjoining Main Entrance HONGKONG HOTEL.
TELEPHONE, No. 696.
Altas of the Chinese Empire; very fine
Maps, Large Scale... \$9.00
Post Card Code... 40
Plains of Silence, by Askew
Kate Meredith, by Chatterbox
Francis Clodde, by Stanley Weyman
Bonita, by Rider Haggard
The Law of the Land, by White
Hill Rise, by Maxwell
A Set of Six, by Conrad
The Diva's Ruby, by Marion
Crawford
By Faith Alone, by René Bazin
Love the Harvester, by Mar
Pemberton
The Ancient Law, by Ellen Glasgow
Shirley's Birnam Road, by Pett
Bidge
The Great Miss Driver, by Anthony
Hope
The Ghost Kings, by Rider Haggard
ANNUAL VOLUMES, BOYS AND GIRLS
ANNUAL CHATTERBOX, LITTLE
FOLKS, PLAY BOX ANNUAL,
SUNDAY, BO PEEP, LITTLE DOTS,
CHILDREN'S FRIEND, &c.
NEW STOCK OF GAMES OF ALL
KINDS. [a31]

HONGKONG HOTEL
FIRST-CLASS AND UP-TO-DATE.
Dining accommodation for 300 Persons.
Well Furnished Reception Rooms.
Private Bar and Billiard Room for Hotel
Residents.
Electric Lifts to each Floor.
Electric Lighting and Fans.
Telephones on every Floor.
Every Comfort.
Ladies' Afternoon Tea Rooms.
Ladies' Cloak Rooms.
Matron in attendance.
CHARGES MODERATE, AND NO EXTRAS.
[a39] A. F. DAVIES, Manager.

KING EDWARD HOTEL.
A HIGH CLASS PRIVATE HOTEL.
Ladies' Afternoon Tea-Rooms.
Private Bar and Billiard-Rooms.
Hot and Cold Water throughout.
Electrically Lighted; Electric Fans (if
required).
Electric Passenger Elevator to each floor.
Table D'Hôte at separate tables.
For Terms, &c., apply to the
MANAGER.
Hongkong, 24th July, 1905. [a1475]

**"KINGSCLERE,"
PRIVATE HOTEL.**
APPROACH FROM KENNEDY ROAD AND
MACDONNELL ROAD.
Telephone No. 134.
Telegraphic Address: "SACHSOLA."
A.D.C. Code, 5th Ed.
ELECTRIC LIGHT, Hot and Cold Water
throughout. Billiards, Tennis, Croquet,
putting green and fine stabling for horses.
[a41] Proprietress, Mrs. G. SACHS.

**"BRAESIDE,"
PRIVATE HOTEL.**
STANDING in its own grounds with Tennis
and Croquet Lawns, Large Airy and
Well Furnished Rooms, every home comfort.
Fine View of the Harbour.
Telephone, No. 690.
Apply to Mrs. F. W. WATTS.
"Braeside," 20, Macdonnell Road.
Hongkong, 4th December, 1907. [a40]

PRIVATE BOARD AND RESIDENCE
MRS. GILLANDERS.
"CLAREMONT,"
2 & 4, KENNEDY ROAD.
Hongkong, 9th February, 1907. [a1326]

ORIENTAL HOTEL
TELEPHONE 197.
No. 2, QUEEN'S ROAD CENTRAL.
Mrs. M. MATTHEAY, Proprietress.
A thoroughly First-Class and Up-to-Date Hotel.
Large and Airy Rooms, affording every comfort
to Residents and Tourists.
Table D'Hôte at Separate Tables.
MODERATE RATES.
Telegraphic address: "Comfort," Hongkong.
For Particulars, apply to
M. MATTHEAY,
Proprietress.
Hongkong, 5th October, 1908. [a1268]

VICTORIA HOTEL
SHAMKIN-CANTON.
MANAGER—MR. H. HAYNES.
Telegraphic address—VICTORIA, SHAMKIN.
SITUATED ON THE BRITISH CONCESSION.

MACAO HOTEL.
MACAO.
MANAGER—MR. H. N. BEAUREPAIRE.
Telegraphic address—"FARMER, MACAO."
SITUATED IN THE CENTRE OF PRATA GRANDE
Both Hotels electrically lighted, and under
experienced European Supervision.
GUIDES AND CHAISES PROVIDED.
Every information and Special attention given
to Tourists.
REASONABLE RATES.
WM. FARMER,
Proprietor.
[a1623]

"BOA VISTA"
(HOTEL-SANITARIUM OF SOUTH
CHINA).
MACAO.
THE Hotel is under European manage-
ment and most strict supervision as to
food, cleanliness and hygiene of the place.
All comforts of a home.
A most pleasant retreat for those desirous of
a few days rest and quiet.
Comfortable accommodation for travellers
paying a visit to the historical and picturesque
colony of Macao.
Macao is 40 miles south-west of Hongkong.
Two steamers (S.S. Sui An and Sui Tai) daily to
and from Hongkong, and two steamers to
and from Canton, give easy communication with
both these centres.
Cable Address—"BOA VISTA."
For Terms, apply to
THE MANAGER.
[a1616]

INTIMATION



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ESTABLISHED A.D. 1841.

FANCY TOILET ARTICLES

VERY SUITABLE FOR PRESENTS

HANDSOME TOILET SETS, SILVER MOUNTED IN Fancy Leather Cases, HANDSOME PUFF BOXES, CUT GLASS BOTTLES in Great Variety, HAIR BRUSHES in Leather Cases, PERFUME SPRAYS, MANICURE SETS, SCISSORS in Cases.

RAZORS IN CASES,

By THE BEST MAKERS: PATENT RAZOR STROPS, SHAVING MIRRORS, HAND MIRRORS, &c., &c., &c.

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A Very Fine Selection in Great Variety—MEERSCHAUM and BIRLA PIPES, CALABASH PIPES (a Special Assortment), SMOKERS' COMPANIONS, MEERSCHAUM and AMBER CIGAR and CIGARETTE CASES in real and CROCODILE SKIN, SNAKE SKIN, &c., TOBACCO POUCHES in BEAVER, CROCODILE, SNAKE and DOG SKIN, &c., TOBACCO BOXES and JARS, ASH TRAYS.

All these Goods are of the Highest Class and Specially Selected.

SUITABLE FOR XMAS AND NEW YEAR PRESENTS.

THERMOS FLASKS.

A most useful XMAS PRESENT for SPORTSMEN, YACHTSMEN and TOURISTS.

A. S. WATSON & CO. LIMITED

ALEXANDRA BUILDINGS AND KOWLOON DISPENSARY.

Hongkong, 11th December, 1908. [29]

NOTICE TO CORRESPONDENTS.

ONLY communications relating to the news column should be addressed to THE EDITOR. Correspondents must forward their names and addresses with communications addressed to the Editor, not for publication but as evidence of good faith. All letters for publication should be written on one side of paper only. No anonymously signed communications that have already appeared in other papers will be inserted. Orders for extra copies of DAILY PRESS should be sent before 11 a.m. on day of publication. After that hour the supply is limited. Only supply for Cash. Telegraphic Address: F.M.S.S. Codes: A.B.C. 5th Ed. Lieber. P. O. Box, 34. Telephone No. 14.

BIRTH.

On December 3rd, at Wuchow, the wife of ALAN WATSON, Chinese Customs Service, of a daughter.

HONGKONG OFFICE: 10A, DES VŒUX ROAD C LONDON OFFICE: 131, FLEET STREET, EC

The Daily Press.

HONGKONG, DECEMBER 18TH, 1908.

COMMENTING, some weeks ago, upon the Edict giving to H. E. CHANG CHIH TUNG supreme control of the affairs of the Canton-Hankow railway we suggested that, in view of the difficulties experienced in obtaining payment of calls on the share capital as they fell due, the announcement seemed to threaten that the Director would raise a foreign loan if the Chinese shareholders persisted in their neglect or refusal to provide the funds they had undertaken to supply. This is evidently the view which has been taken of the announcement by the shareholders generally in the province of Kwangtung, for our Canton correspondent in his communication published this morning reports that a sum amounting to upwards of five million dollars has now been paid by the recalcitrant shareholders in Kwangtung province on the second instalment of the share capital. This call has been long overdue. Time for payment has been extended again and again without much result. The intimation issued by CHANG CHIH TUNG when he assumed supreme direction less than a couple of months ago, clearly indicated that the limit of patience in this

matter had been reached, and his thinly-veiled intention to have recourse to foreign capital, rather than suffer the work of construction to be delayed, has obviously stimulated effort on the part of Kwangtung shareholders to prevent a stultification of that great outburst of patriotic pride and pretension which started the work on Chinese capital and under Chinese supervision and control. It would appear from a Peking telegram published in northern papers that steps have already been taken by the Viceroy of Canton with a view to raising a loan from British capitalists for this purpose, though in the face of the Edict giving to H. E. CHANG CHIH TUNG supreme control, and expressly prohibiting interference by the provincial Viceroy, it is by no means clear what the Viceroy has to do with the question. We can only suppose that H. E. CHANG CHIH TUNG being overwhelmed with affairs of State connected with the accession of the new Emperor, has delegated authority to the Viceroy for the arrangement of the loan. The Viceroy is reported to have telegraphically memorialised the Throne that there is no prospect of completing the Liangkang section of the line unless recourse is had to a foreign loan, and His Excellency is stated to have pointed out that, provided the agreement is properly drawn on the lines of the Tientsin-Pukou railway agreement, "the borrowing of foreign money in no wise interferes with China's rights and powers over the railway." He has, therefore, with the knowledge and consent of the Wai-wu-pu, the Viceroy of Hubei and the Governor of Hunan applied to England for a loan, in accordance with the agreement entered into when the Hongkong Government lent the money to redeem the concession from the American China Development Co. This agreement provides that in the event of the Liangkang Provinces wanting to borrow money for railway purposes, England shall have the option of lending it. Perhaps it was the knowledge that negotiations, approved by Imperial Rescript, were actually in train for a foreign loan that has reduced the obstructive shareholders to penitence and fear. With the sum of five million dollars in hand the constructing staff are able to push on with the work. The determination of the higher authorities to countenance no delay in the execution of this important undertaking is a very gratifying sign of the times and perhaps this resolve in itself has done much to persuade the shareholders to pay up as they are well aware that the sooner the line is in operation the sooner are they likely to see a return on the capital invested.

The quiet re-iteration by the Under Secretary of State for the Colonies of the familiar phrase, "The Government is now considering the Governor of Hongkong's recommendations" with regard to the closing of the opium divans in the Colony must be a little wearisome and disconcerting to the Anti-Opium League, and in particular, to Mr. TAYLOR, M.P., who at regular intervals put up to ask the questions which elicit this stereotyped reply. It was early in May last, that the Government telegraphed its peremptory order to the Colonial Government to take steps to close the opium divans. To the community, at any rate, it is of some interest to know that the Imperial Government is still "considering" what H. E. the Governor has recommended, for, though the nature of these recommendations has not been made public, we may be quite sure that they are not in accord with the Imperial Government's original ideas on the subject. As the Home Government has just received the Report of the Straits Opium Commission, it is conceivable that no final decision will be reached regarding Sir FREDERICK LUGARD's recommendations until the Straits Report has been carefully digested, for the policy pursued in both colonies is likely to be much the same. We get no idea of the probable date of a decision from Colonel SZELEY's statement that "the correspondence will be laid on the table in due course." One might suppose that the information elicited on the opium question in China during the last six months gives the Government reasonable excuse for delaying their decision until they have had an opportunity of learning the recommendations of the International Conference which takes place at Shanghai in February next.

The German Mail of the 18th November was delivered in London on the 16th inst. Typhoid broke out a week ago among the soldiers of the 26th regiment at Manila. Last Sunday's report was seven men ill and one dead.

Singapore has recently been in the throes of a Municipal election. A Singapore paper tells us readers that "excitement was intense," but we note that the four gentlemen elected received only 67, 39, 38 and 22 votes respectively.

The Kowloon Dock dance season commences on Saturday night, 19th inst. The launch for visitors leaves Blake Pier at 8 o'clock.

To-morrow being the name-day of His Majesty Emperor Nicholas II of Russia, the Consulate in Hongkong will be closed and Consul Mrs. Tiedemann will hold a reception at their residence No. 5 Queen's Gardens from 4 to 7 p.m.

It is interesting to note that, although there are at present so many rival attractions, the Victoria Cinematograph continues to receive its full complement of visitors. The addition of a new artist and a frequent change of programme maintains the popularity already gained with the public.

Over 250 invitations have been issued for the Fancy Dress Ball which takes place at Kingsclere on January 1st. The dance programme will include eight waltzes, five two-steps, and three squares. The organisers, we are asked to mention, desire that gentlemen should bring the invitation cards with them.

To-day and to-morrow a large collection of oil paintings by celebrated French artists is on exhibition at the City Hall. An admission fee of 50 cents is charged, and the advertisement which appears in another column states that the proceeds will be divided between the Ladies' Benevolent Society and the Tung Wah Hospital.

The Legislative Council at its sitting yesterday heard arguments against the proposed alteration of the new Peak tramway route. Sir Henry Berkeley, K.C., professionally appearing before the Council on behalf of the Roman Catholic community who presented a petition on the subject. Bishop Pozzoni and Mr. A. Denison, C.E. were examined by the Committee at some length. The Council also again discussed the expectation nuisance.

The Volunteer Troop go into camp in the New Territory from the 24th to the 29th inst. The site of the Camp will be in the Kam Tin Valley, about six miles from Tai Lam Chung (the bay near the Brothers' Point on the Hongkong side of Castle Peak Bay). This will permit members who are unable to remain the whole period in Camp to come out or return to Hongkong in about three hours, i.e. launch to Tai Lam Chung one hour, Tai Lam Chung to Camp two hours easy riding or walking.

"To prevent misunderstanding" Mr. Fred J. Halton, Chairman of the Baseball Committee writes to say that the Baseball match will be played on the ground of the Hongkong Football Club at Happy Valley on Saturday next at 3 p.m. Grand stands have been erected, the booking being in the hands of Morris & Co. and tickets have been issued only up to the capacity of the stands. One stand is already sold out and the others are selling very rapidly.

His Honour the Chief Justice delivered an interesting judgment in Bankruptcy Court yesterday in a case in which the question of the debtor's domicile was raised. The certificates issued under the seal of the Colony to Chinese who are born in the Colony in which the governor states his belief that the person to whom it is granted is a British subject, is highly regarded by those who hold them. His Lordship declared that in an English post such a certificate is of no value whatever for any legal purpose and he expressed the belief that hardly any Chinaman who is merely a stranger here ever tears himself away root and branch from his family village in China, which is what is required to establish a domicile in the Colony. An extended report of the judgment appears on page 5.

POOCHOW RACES.

The annual races at Poochow were held on Monday, Tuesday and Wednesday. The honours of the meeting have gone to "Heraldic," owner "Mr. Ewo." This pony won five races at the recent meeting at Hankow, and at the Poochow meeting he secured first place in four including the Champion Stakes, the Poochow Stakes, the Big Sweep Cup and the Oswald Challenge Cup. Captain Hope won seven races—three with "Capital," two with "Marvellous" one with "Superb" and one with "Spots."

Following is a full list of the winning ponies:—

PONY	OWNER	WINS
Heraldic	Mr. Ewo	4
Capital	Capt. Hope	3
Marvellous	Mr. Ewo	2
Piper	Mr. Min	2
Kirby	Father O'Flynn	2
Mokawki Chief	Mr. Ewo	1
Superb	Captain Hope	1
Spots	Mr. Ewo	1
Raffles	Mr. Powell Grant	1
Kangaroo	Mr. Wallaby Wallaby	1
Gaucheche	Mr. Oswald	1
Kandahar Chief	Mr. Min	1
Frosty Morn	Mr. Ewo	1

WEATHER REPORT.

The Hongkong Observatory yesterday issued the following report:—On the 17th at 11.55 a.m.—The barometer has risen considerably in E. Japan, and fallen quickly over S.W. Japan.

The depression which passed over the E. coast of China during the night, is now moving towards the coast of S.W. Japan.

Areas of high pressure are lying over S.E. Japan and over China to the North of the Upper Yangtze.

The monsoon is expected to freshen considerably in the Formosa Channel and along the coast of S. China during the next 24 hours.

Hongkong rainfall for the 24 hours ending at 10 a.m. to-day, 0.03 inches.

The forecast for the 24 hours ending at noon to-day is as follows:—

Hongkong & Neighbourhood.	(E to N.E. winds, freshening; cloudy, misty.)
Formosa Channel	Same as No. 1.
South coast of China between Hongkong and Lamooks.	Same as No. 1.
South coast of China between Hongkong and Hainan.	Same as No. 1.

TELEGRAMS.

[DAILY PRESS' EXCLUSIVE SERVICE.]

DEATH OF A JAPANESE GENERAL.

Tokyo, December 17th.

General Baron Inouye is dead.

[This most likely refers to General Inouye, who commanded the 4th Army Division who in early years participated in the civil war and saw a good deal of fighting in the Japan-China War and Russo-Japanese War.]

[REUTERS' SERVICE.]

HOLLAND AND VENEZUELA.

London, December 15th.

There is excitement in Caracas owing to the Dutch naval demonstration and the seizure of a Venezuelan vessel, and conflicts have taken place between President Castro's supporters and opponents, in which several people have been killed and wounded. The Vice-President Gomez has proclaimed the Dutch acts as equivalent to invasion and declared martial law.

DEATH OF A RUSSIAN AMBASSADOR.

London, December 15th.

M. Muraviev, Russian Ambassador to Rome, has died suddenly of apoplexy.

AUSTRIA AND TURKEY.

London, December 15th.

The Austrian Ambassador at an interview with the Grand Vizier has proposed as compensation for the annexation of Bosnia and Herzegovina, an increase of customs dues to 15%, to which Germany has agreed; the introduction of five monopolies, the abolition of Austrian post offices, the withdrawal of Austrian protection from the Catholics of Albania and a guarantee for the integrity of Novi Bazar. It is hinted that there is a possibility of compensation on account of Bosnia and Herzegovina's share in the Ottoman debt.

THE OPIUM COMMISSION.

London, December 15th.

Col. Seely in reply to Mr. Taylor said the reports of the Straits Opium Commission had just been received and would be laid on the table in due course. The Government was now considering the Governor of Hongkong's recommendations, and the correspondence would also be laid on the table in due course.

[FROM THE MANILA "CABLENEWS."]

THE PHILIPPINES FREE TRADE QUESTION.

Washington, December 2nd.

Everything points to a successful issue for the fight for Philippine tariff abolition, during the present session of Congress or the next session to be convened by President-elect. The sugar men in many quarters continue a very active opposition to the proposed legislation but there is an excellent prospect for its enactment. The Senate is still undecided but it is hoped by the friends of the measure that a compromise will be effected by which the Philippines will get what they ask. The Ways and Means committee of the House of Representatives has decided on the measure to be presented for enactment. It calls for free trade with the islands and the free entrance of Philippine sugar to the United States, to the amount of 500,000 tons yearly.

THE ROBBERY AT THE EWO COTTON COMPANY'S OFFICE.

Inquiries made by the Police, and the report of Mr. Alfred Shaw, manager of the Ewo Cotton Company, show that the attempt to rob the office of that Company was made by a gang of burglars who were familiar with the surroundings. When Mr. Shaw entered his office at 5.30 on Wednesday morning he found the drawers of his desk broken open, and on making a search found that \$15 had been taken. He saw also that the large iron safe had been bound with ropes to which were attached a bamboo pole, the intention of the burglars evidently being to carry the safe away. On the floor he found a canvas bag containing an old file, some wire and torch paper, and in a search outside the office the police found three pairs of Chinese shoes concealed in some bushes. With the exception of the \$15 mentioned, nothing had been removed from the office, an alarm probably having hastened the departure of the robbers before they had completed their work. An Indian watchman informed the police that an hour previous to the arrival of Mr. Shaw he saw three Chinese rush through the main gates and run in the direction of Causeway Bay. Detectives are now investigating the matter.

BANDMANN COMEDY COMPANY.

"The Royal Divorce," perhaps the best piece in a repertoire of unusual excellence, was played by the Bandmann Comedy, last night to a good house.

LATEST STEAMER MOVEMENTS.

The Bank Line Ltd's str. Inveric sailed from Yokohama on 16th inst.

How to BE BEAUTIFUL—Keep your complexion, Mrs. Ellen's Crème Chantante, Laft Charmant and Special Skin Tonic and Poudre Charmant will enable you to do it. Her Specialties for the Skin are the study of a lifetime. A. S. Watson & Co. Ltd. Sole Agents. [262]

HONGKONG LEGISLATIVE COUNCIL.

A meeting of the Hongkong Legislative Council was held yesterday in the Council Chamber.

HIS EXCELLENCY THE GOVERNOR, SIR FREDERICK JOHN DEALTRY LUGARD, K.C.M.G., C.B., D.S.O.

H. E. MAJOR-GENERAL R. G. BROADWOOD, C.B., A.C.D., (General Officer Commanding).

Hon. Mr. F. H. MAY, C.M.G., (Colonial Secretary).

Hon. Mr. W. REES DAVIES, K.C., (Attorney-General).

Hon. Mr. A. M. THOMSON (Colonial Treasurer).

Hon. Mr. W. H. CHATHAM, C.M.G., (Director of Public Works).

Hon. Mr. E. A. IRVING (Registrar-General).

Hon. Mr. F. J. BADELEY, (Capt. Superintendent of Police).

Hon. Dr. Ho Kai, M.B., C.M., C.M.G.

Hon. Mr. W. YUK, C.M.G.

Hon. Mr. H. E. POLLOCK, K.C.

Hon. Mr. E. A. HENNESSY.

Hon. Mr. H. A. W. BLADE.

Hon. Mr. W. J. GRESSON.

Mr. C. CLEMENTI (Clerk of Councils).

MINUTES.

The minutes of the last meeting were read, and confirmed.

FINANCIAL MINUTE.

The COLONIAL SECRETARY, by command of His Excellency the Governor, laid on the table Financial Minute No. 70, and moved that it be referred to the Finance Committee.

The COLONIAL TREASURER seconded, and the motion was agreed to.

FINANCIAL.

The COLONIAL SECRETARY, by command of His Excellency the Governor, laid on the table the Report of the Finance Committee (No. 20) and moved its adoption.

The COLONIAL TREASURER seconded, and the motion was agreed to.

NEW BYLAWS.

The COLONIAL SECRETARY—Sir, I beg to move that the bylaws under section 16 of the Public Health and Buildings Ordinance, 1903, relating to bakeries, dairies and the importation and inspection of animals, be approved by this Council.

The DIRECTOR OF PUBLIC WORKS seconded, and the motion was agreed to.

THE KING'S BIRTHDAY.

HIS EXCELLENCY—Before we proceed with the business of the day I wish to inform the Council that on the occasion of the King's Birthday I sent a telegram to England as is customary in many colonies in the following terms:—"On behalf of Colony express loyalty to His Majesty the King anniversary of birthday. Wishing you long life and health." I received by the last mail the following reply from the Secretary of State:—"I have the honour to acknowledge the receipt of your telegram of the 9th instant expressing on behalf of the community of Hongkong their loyalty to His Majesty and their good wishes on the occasion of his birthday. The telegram has been laid before the King and I am commanded by His Majesty to convey to you and to the people of Hongkong His Majesty's sincere thanks for your loyal message which he has received with much pleasure."

THE TRAMWAYS ORDINANCE.

The ATTORNEY-GENERAL—I beg to move that the Council resolve itself into Committee to consider the third order of the day the Bill entitled an Ordinance for authorising the construction of a tramway within the Colony of Hongkong. I understand, Sir, that a petition has been presented to the Council in respect of this Bill.

The petition signed by the Vicar Apostolic of Hongkong, on behalf of the Roman Catholic community against the proposed route of the projected tramway was read.

Hon. Mr. HEWITT—I beg to move that the petitioners be allowed to appear by Council, as prayed.

The COLONIAL SECRETARY—Sir, pro forma, I second that motion.

It was agreed to, and Sir Henry Berkeley, K.C., the Right Reverend Bishop Pozzoni, and Mr. A. Denison, architect, entered the Chamber.

HIS EXCELLENCY—The petition presented on behalf of the Vicar Apostolic of Hongkong has been read to the Council. We shall be glad to hear you speak in this Council on it.

SIR HENRY BERKELEY—May it please your Excellency and gentlemen of the Legislative Council, I appear by gracious permission of your Honourable Body in support of the petition which has been presented by the Right Reverend Bishop Pozzoni on behalf of the Roman Catholic community of this colony. I ask your permission to refer to the petition. The second paragraph runs as follows:—

"2. The route of the said Tramway is, your Petitioner is informed, proposed to be marked in blue lines on the plan instead of the route marked on the said plan in red lines as originally proposed."

Your Excellency will see from that plan the route as originally proposed and as we respectfully submit, it should continue. That is marked in red. The route as now proposed is delineated in blue. If you follow the blue line you will come to where the line passes up Glenalee Valley for a considerable distance. It is carried over the gully on a proposed steel trestle viaduct some 50 feet in height. It is the carriage of the tram cars over this steel trestle viaduct that we oppose and it is that part of the proposed route marked in blue we ask the Committee to reject. It is probable that the personal knowledge of members of this Committee that great noise is occasioned by trains or trams passing over a steel trestle bridge, and the longer the bridge and the higher the viaduct the greater the noise caused by the increased vibration. The route marked in red would carry the line all the way on solid ground. There would be no vibration to speak of and there would be little or no noise, nothing at all events that could be legitimately complained of. Part of it would pass the Cathedral and the buildings which the Bishop desires to protect and keep in the quietness they have so long enjoyed. It could occupy very small space superficially and it could be adequately protected from the danger of people falling over it by railings which need not be in any way an offence to artistic feeling, and might be of such an ornamental character as to adorn the Gardens. The third paragraph of the petition, Sir, states that the Cathedral of the Immaculate Conception is the principal place of worship of the Roman Catholic community of Hongkong and is situated on the east side of the Public Gardens. The fourth paragraph is that divine service or other religious observances take place daily in the Cathedral. I ask permission to emphasise the word daily. On that point you will hear the evidence of the Bishop, who will speak more in detail as to the nature of these religious observances for which in the highest degree it is essential to have quietness. The fifth paragraph of the petition says much. It proceeds:—"It is essential to the sacred and revered performance of such services and observances that there should be at such times an absolute absence of noise in such Cathedral and in the immediate neighbourhood thereof."

In addition, I am instructed to mention a matter that was omitted from the petition, and that is that immediately adjoining the Cathedral is a mission school where persons are trained for the priesthood. The noise, if noises there will be, and I think there will, is a matter upon which the committee can make up its mind after hearing Mr. Denison, but it requires no evidence to convince them that cars passing over a viaduct of this kind make a most distracting noise, and that in the opinion of the committee must prove dislocating to the teaching in the school. Further, Sir, I am instructed to call the attention of your Honourable Body to this fact which has been omitted from the petition: It seems that in proximity to the Cathedral and to this proposed viaduct there are a number of houses occupied by tenants of the mission. If the tramway passes along this viaduct it will pass close to and slightly above these houses with the result that the interiors of these houses will be in full view of people passing in the tram. The trams, as I have just mentioned, not only run by day but by night, so that if the tram line is built as projected there will be an invasion of the privacy of the occupants of these houses. Such an invasion can only be guarded against by closing windows which would, in a climate such as this, be impracticable in summer. The result would be if the tram is built as projected a serious depreciation in the value of the property. That must weigh with the members of the committee as well as the disturbance of the quietude which has for many years reigned in the precincts of the Cathedral. Sir, I would emphasise the fact that this petition is made on behalf of a large number of persons, over 7,000 persons in this community. It may be regarded, therefore, as a petition largely signed. The prayer of the petition is that the proposed route of the said tramway as marked in blue lines on the said plan be not approved by this committee. We do not presume to suggest that the route marked in red be approved. We do not presume to say how you should act. We only respectfully press the point that the route marked in blue with reference to the tram passing over a trestle bridge near the Cathedral should not be approved. If you turn to the Bill you will find that this matter is dealt with in clause three, construction and route of the railway. It is as follows:—(Quotes). We don't wish the tramway to be constructed in accordance with the plan which has been published. We desire it to be altered and not to be approved so far as they show the route in blue line. Sir, the committee will observe by the wording of the proviso that it was contemplated there might be deviation from the plan as deposited. (Quotes). This will not necessitate any redrawing of the plans and if your Excellency desires that they must be altered—they must be altered in accordance with the opinion of the committee. I now propose with your permission to call the Bishop before you.

Bishop Pozzoni was then sworn and examined by Sir Henry Berkeley.

What is your name?—Domenico Pozzoni.

What office do you hold?—The title is Bishop of Timor and the office is Vicar Apostolic of Hongkong.

The principal church of the Roman Catholic Community is situated?—About fifty feet above Caine Road west of the Public Gardens.

Is it correctly shown in the plan?—Yes.

When did you come here?—In 1888.

Where was the Cathedral at that time?—It was then in Wellington Street.

When was it removed from Wellington Street?—About 18 months after my arrival in Hongkong.

Why was it removed from Wellington Street?—Because the place became so noisy that our Catholic services could not be carried on with the necessary peace and quietude, especially such services as Holy mass and most especially the confessions of the sick now at the Cathedral when confessions are making noise outside we are obliged to send an assistant outside to stop them.

How long is it since the Cathedral was in its present site?—Services began in July 1886.

Twenty-two years ago?—Yes.

During that time have you enjoyed quietude?—Yes.

Nothing to interrupt or disturb your services except occasional raucous voiced coolies to whom you repeatedly despatched an assistant?—Yes.

Have you a mission school?—Yes.

Where is it?—Near the Cathedral tower.

What kind of a school is it?—It is for those who desire to become missionary priests, and the curriculum includes theology and philosophy.

Quietude is required for such study?—Yes.

Do the Church Boys own some house near?—Yes.

Are they occupied by tenants?—Yes.

Examined by the DIRECTOR OF PUBLIC WORKS.

In what part of the Cathedral is the confessional held?—Sometimes near the altar and sometimes near the door. Sometimes all over the Cathedral.

Are they conducted in that part of the building nearest the tramway?—If there are crowds they go near to the door. If there is not a crowd they go near the altar.

As a rule they are conducted at the other end of the Cathedral?—We have no particular place. Some like to make their confession near the door and the priest has to go to the door with them. Some like to go near the altar and the priest must be ready to go there. Here we have several nationalities. Generally the Chinese like to be near the door. All the foreign European missionaries and myself speak Chinese very slowly and we need quietness in order to understand what is being said, and in order to make ourselves understood.

Mr. Albert Denison was then called, and examined by Sir Henry Berkeley.

What is your profession?—I am a civil engineer.

Are you practising in this Colony?—Yes.

Have you examined and reported upon the line of tramway marked on the plan?—Yes.

I see by the plan that for some distance of its length the tramway carries a steel trestle viaduct; is that so?—That is so.

Is that what is proposed?—Yes.

NOTICE

Communications respecting Advertisements, Subscriptions, Printing, Binding, &c., should be addressed DAILY PRESS only, and special business matter THE MANAGER. Advertisements and Subscriptions which are not ordered for a fixed period will be continued until countermanded. Orders for extra copies of DAILY PRESS should be sent in before 11 a.m. on day of publication. After that hour the supply is limited. Only supplied for Cash. Telegraphic Address: Press Codes: A.B.C. 5th Ed-Lieber's. P.O. Box, 33, Telephone No. 12.

NEW ADVERTISEMENTS

WANTED.

FOR a few weeks the Services of a Qualified PRINTER-READER. The Work can be done in Spare Time, and Good Remuneration given to a Capable Man. Apply to—Care of "Daily Press" Office. Hongkong, 18th December, 1908. [1675]

CHRISTMAS IS COMING.

HOOSAIN-ALI & CO.,
WILL MAKE THE
LADIES OF HONGKONG
A GENEROUS OFFER
FOR ONE MONTH ONLY.
20 PER CENT. DISCOUNT.
On previous CHEAP SALE PRICES.
A Large and Varied Assortment of Every-
thing Requisite for Ladies' Wear.
CALL EARLY.
HOOSAIN-ALI & Co.,
No. 14, Queen's Road Central,
Hongkong, 18th December, 1908. [651]

IMPERIAL GERMAN MAIL LINE.
NORDDEUTSCHER LLOYD, BREMEN.
For SHANGHAI, TSINGTAU, NAGA-
SAKI, HIOGO AND YOKOHAMA.

THE I.G.M. Steamship
"DEREFLINGER"
Captain G. Meiners will leave for the above
places TO-DAY, the 18th inst., at 3 p.m.
NORDDEUTSCHER LLOYD.
For further Particulars, apply to
MELCHERS & Co.,
General Agents.
Hongkong, 18th December, 1908. [5]

IRON GRIT. Round or Angular for Stone
sawing, dressing and polishing.
Also all other kinds of abrasives for stone
working.
EDWARDS, MACDOUGAL & Co.,
190, West Regent Street,
GLASGOW, Scotland.
Buying Agents Wanted. [1611]

**IN THE SUPREME COURT OF
HONGKONG.**

PROBATE JURISDICTION.
In the Goods of **CHARLES COLLETT**
late of Victoria in the Colony of Hong-
kong, Mercantile Assistant, deceased.
NOTICE IS HEREBY GIVEN that the
Court has, this day, by virtue of Section
58 of Ordinance No. 3 of 1897 (Probate Ordinance,
1897) made an Order limiting the time for
Creditors and others to send in their Claims
against the above estate to the 20th January, 1909.
All Creditors and other persons having Claims
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send Particulars of the same to the Vice Consul
for Norway, Hongkong, before that date.
Dated the 21st day of November, 1908.
SHUTTON & HEIT,
Nos. 39, 41 & 43, Des Vaux Road,
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Solicitors for the Administrator. [1615]

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against the above estate to the 20th January, 1909.
All Creditors and other persons having Claims
against the above estate are hereby required to
send Particulars of the same to the Vice Consul
for Norway, Hongkong, before that date.
Dated the 21st day of November, 1908.
SHUTTON & HEIT,
Nos. 39, 41 & 43, Des Vaux Road,
Hongkong.
Solicitors for the Administrator. [1615]

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ENTERTAINMENT

THEATRE ROYAL
CITY HALL.

MAURICE E. BANDMANN PRESENTS
THE BANDMANN
COMEDY CO.

Including: Miss FLORENCE HAMER.

TO-NIGHT (FRIDAY), Dec. 18th,
"MRS. WIGGS OF THE
CABBAGE PATCH."

TO-MORROW (SATURDAY), Dec. 19th,
ZAZA.

MONDAY, Dec. 21st,
THE SCARLET PIMPERNEL

TUESDAY, Dec. 22nd,
JACK STRAW.

WEDNESDAY, Dec. 23rd,
DIANA OF DORSET.

THURSDAY, Dec. 24th,
THE GAY LORD QUEX.

Plan of Seats Now Ready at MOUTRIE & Co.

PRICES \$3, 2 & 1.
Doors Open 8.30 P.M. Commence 9 P.M.
Late Trains will leave for the Peak 15 minutes
after the performance.
Hongkong, 10th December, 1908. [1653]

AUCTIONS.

PUBLIC AUCTION.

THE Undersigned have received instructions
to Sell by Public Auction:
On **MONDAY AND TUESDAY,**
the 21st and 22nd December, 1908, at 10 a.m.,
at H.M. NAVAL ESTABLISHMENTS,
SUNDAY OLD AND SURPLUS NAVAL
AND VICTUALLING STORES,
Comprising:
OLD AND SURPLUS NAVAL STORES:
IRON BLOCKS, HOSES, LAMPS AND
LANTERNS, TOOLS, OLD IRON AND
METAL, ELECTRIC CABLES, OLD
BOILER, STEAM HAMMER, COAL
SACKS, CANVAS BAGS, OLD INDIA
RUBBER, OLD LEATHERS, CARPETS,
MATTINGS, OLD BOATS, FURNITURE,
&c., &c.
OLD AND SURPLUS VICTUALLING
STORES—PROVISIONS, Seamen's
CLOTHING, BLANKETS, Officers' Mes-
SEALS, TRAPS, A QUANTITY OF ELECTRO-PLATED
ARTICLES, IMPLEMENTS, Seamen's
MESS UTENSILS, OAK STAVES, &c., &c.
Catalogues will be issued.
TERMS OF SALE—As Customary.
HUGHES & MOUGH,
Government Auctioneers.
Hongkong, 8th December, 1908. [1650]

IN THE SUPREME COURT OF HONGKONG:
Original Jurisdiction.
Action No. 21 of 1908.

PARTICULARS AND CONDITIONS OF SALE
OF THE
Undermentioned Share and Interest in
LEASEHOLD LANDED PROPERTY
To be Sold
In One Lot

PUBLIC AUCTION,
On **TUESDAY,**
the 22nd day of December, 1908, at 12 o'clock
Noon, by **MR. GEO. P. LAMBERT,**
at his Sales Room, Duddell Street.

UNDER the direction of **ARATHOON**
BETH, Esquire, I.R.O., the Registrar
of the Supreme Court of Hongkong, pursuant
to an Order of the said Court made in the above
Action on the 17th day of November, 1908.

THE FOLLOWING ARE THE PARTICULARS:
The one equal undivided SIXTH SHARE and
interest of **YU HONG** otherwise **YU LOK** No. 6
and in all the Piece or Parcel of Land registered
in the Land Office as Section "D" of Marine
Lot No. 81, which has been carved for the
master of Mortgage into Two Sections namely
the Subsection I. of Section "D" of Marine
Lot No. 81, together with the Messuages or
Tenements thereon known as Nos. 324, 325 and
328, Des Vaux Road, West, and No. 2, Sung
Hing Lane and the Remaining Portion of
Section "D" of Marine Lot No. 81,
together with the Messuages and Tenements
thereon known as Nos. 4, 6, 8, 10, 12, 16 and 18,
Sung Hing Lane.

The said premises are held for the residue
of the term of 999 years from the 12th day of
December, 1845, granted by a Crown Lease
dated the 12th day of July, 1857, subject to
the payment of the Crown Rent and to the
performance of the covenants in the said
Crown Lease reserved and contained. As to
the Remaining Portion of Section "D" of
Marine Lot No. 81, the said premises are held
subject to an Indenture of Mortgage
registered in the Land Office by Memorial
No. 41133 and to the principal sum of \$22,000,
and interest thereon.

For further particulars and conditions of
Sale apply to
Messrs. D'ALMADA & SMITH,
Solicitors for the Vendor,
or
MR. GEO. P. LAMBERT,
Auctioneer.
Hongkong, 8th December, 1908. [1651]

GRACA & CO.
(Established 1896.)
No. 27, Des Vaux Road, opposite the P. & O.'s
Office.

Dealers in Rare Asiatic and Foreign Postage
Stamps, and all Other Philatelic Goods.
View and Artists' Postcards.
Novels, Cigars.
XMAS and NEW YEAR CARDS.
in Packets of 15 for 40 cents. Also Selected
Varieties at Cheapest Rates.
Inspection invited. [1375]

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INTIMATIONS

GRAND EXHIBITION
OF
OIL-PAINTINGS.
(By Celebrated French Artists).

To be held at the
CITY HALL (St. Andrew's).
TO-DAY (FRIDAY) AND TO-MORROW
(SATURDAY),
the 18th and 19th December, 1908.

SUPREME COURT.

Thursday, 17th December.

IN ORIGINAL JURISDICTION.

HAYES THE CHIEF JUSTICE (SIR F. FRASER).

FORECLOSURE ACTION.

The Hongkong Fire Insurance Company brought action against Lo Kwong and the Yuen On Insurance Exchange Loan and Godown Co., Ltd., to have an account taken of what was due to plaintiffs for principal and interest and costs under an indenture of mortgage by which the first defendant assigned to them certain property in security of the repayment of \$50,000 and asked for foreclosure.

Hon. Mr. H. E. Pollock, K.C., instructed by Mr. Atkinson, appeared for the plaintiffs, defendants being unrepresented.

Mr. Lee, secretary of the plaintiff company, having stated the particulars, his Lordship granted a foreclosure decree.

BANKRUPTCY JURISDICTION.

BEFORE THE CHIEF JUSTICE.

A QUESTION OF DIFFERENTIAL TREATMENT.

Re Ho Shiu Chan, application for approval of a scheme of composition, his Lordship delivered judgment as follows: I am asked to sanction a scheme of composition by which it is proposed that sixty per cent. should be paid to the European creditors and twenty-five per cent. to the Chinese creditors. If all the Chinese creditors had been present at the meeting and had assented, I suppose I should have had no option but to sanction the scheme, but it was passed only by the statutory majority and four Chinese creditors were not present. If I sanction this meeting will be bound by it. I do not know of any duty which compels creditors to attend these meetings; if they are out of the jurisdiction they can only appoint a proxy. It is true they do not attend at their own risk, but they are quite entitled to leave the matter to the other creditors because they know that the decision must come up for the approval of the court. One thing they have a right to expect—equality of treatment—but here I am asked to sanction an agreement for differential treatment. I cannot sanction the scheme which would, had I not to sanction it, be illegal. The requisites for a majority have not been obtained because the votes of the European creditors present were only given on condition that they should obtain a special advantage and they are therefore affected by undue prejudice.

Mr. Otto Kong Sing—I appear for the debtor. All the Chinese creditors have agreed.

His Lordship—I can only deal with the facts as they are put before me.

Mr. Otto Kong Sing—All these creditors are in the colony, and they have agreed.

His Lordship—It is not on the file; as the scheme is presented to me I cannot possibly find otherwise.

Mr. Otto Kong Sing—May I come again before your Lordship?

His Lordship—If you like.

The Official Receiver—The opposition, if any, was at first inclined to come from the European creditors and not from the Chinese.

His Lordship—It makes it all the worse. They get all the disadvantages.

The Official Receiver—They were inclined to oppose the arrangement at first.

His Lordship—It is an undue preference which I cannot sanction. The whole idea of this Bankruptcy Ordinance is equality.

A DOMICILE PROBLEM.

Re Wei Long Shing & Co. v. Yuen. This was an application for the revision of a receiving order which came before the Court on Monday. Mr. Hastings appeared for the Bank of Taiwan. Mr. Atkinson for the petitioning creditor, and Mr. Dennis for the debtor.

His Lordship said—A judgment creditor applies to rescind the receiving order. Four grounds of opposition were raised and my ruling with regard to them will serve as a good illustration of the general practice with regard to oppositions to petitions which I have sanctioned. The third was that "after the payment of costs of the proceedings there will be no substantial assets for division among the creditors." That ground is not good because it is a matter which the Official Receiver considers and usually advises the judge on the application. The fourth ground is that the petitioner is in collusion with the debtor and that the proceedings are in abuse of the process of the court. This is also a matter which concerns the Official Receiver who in this respect exercises a general surveillance over bankruptcy proceedings. The first ground is that the debtor was not domiciled in this colony at the date of the presentation of the petition and therefore that the court has no jurisdiction to make a receiving order. And the second was that the debtor has committed no act of bankruptcy on which a petition could be founded.

At the first meeting of creditors the debtor made a statement that he was born in Hongkong. I see no reason to doubt this. This then makes him a natural born subject of the King, but in order to make this point clear (and it is an important point) a certificate of Sir George Bowen, the then governor of the colony, dated 21st July, 1864, was referred to. It was given under the seal of the colony and was to the effect that having examined two affidavits of birth, his Excellency was satisfied that Wei Long Shing, the debtor, was born in the colony and therefore that he believed him to be a British subject. I understand that these certificates are issued in virtue of permissive instructions from the Secretary of State given in August 1862. I have never seen one before and as it was referred to in the argument I must express my opinion on it. In an English port such a certificate is of no value whatever for any legal purpose. It refers to two affidavits of birth but by whom they were made does not appear. The proper person to issue certificates of birth

or to be more precise, sealed and certified copies of entries in his registers, is the Registrar-General, and I am not sure but I do not think that even these are made conclusive evidence of the facts contained in the entries. Then this certificate says that having read these two affidavits the Governor has satisfied himself that Wei Long Shing was born in the colony and the Emperor of China being at amity with the Queen of England at that time the Governor believes him to be a British subject but this is non sequitur. If the person to whom the certificate is given was born in the colony he is a British subject. There is no ground for belief or disbelief. The fact is both the instructions of the Secretary of State and the opinion of the Law Officers have been misconstrued by the drafter of the form annexed to the instructions. The belief, the expression of which is sanctioned, is as to the fact of birth in the colony from which the legal consequence of British nationality follows. It is very necessary that such certificates if they are to be issued at all should be drafted with extreme care. The idea on which they were allowed clearly was that upon which positive should be stated and the statement of belief must be limited to the fact of birth in the colony. Otherwise the issue of the certificates may be attended with considerable danger, for I understand that they are sometimes used by foreign consuls for use in foreign ports and it may well be that, being under the seal of the colony, they would receive a larger measure of credence so far as the fact of birth is concerned than they are entitled to and in law they are open to two objections with regard to the statement of belief in British nationality. In the first place they ignore the possibility or rather probability that some of the recipients may be the unfortunate victims of double nationality, being Chinese as well as British subjects, and secondly there is a regular process for settling doubts as to nationality provided in the Legitimacy Declaration Act 1858. It is true that that Act probably does not apply to a colony where the court has no divorce jurisdiction as here, but that makes it all the more necessary to issue certificates of nationality with the greatest caution lest they should be confused with those issued under that Act. There is also another process for quieting doubts as to the right of a person to be a British subject provided by section 7 of the Naturalization Act.

It seems clear that in applying the test of domicile to any case the court has regard to the English notions of domicile and therefore, although domicile is obviously quite unknown to the Chinese, we can, from the point of view of English law, talk of a Chinaman being domiciled in China. Further the ordinary rule applies that unless a domicile of choice is proved, the domicile of origin is that of his father at the time of his birth. I may therefore at once determine what the debtor's domicile of origin was. The debtor is 55 years old; that he was born in 1855. The colony was not too young in those days for me to assume that a Chinaman ever deliberately intended to acquire such a permanent home in the colony as is necessary to the acquisition of domicile. The father's domicile was that of China at the debtor's birth, and I have no evidence before me that his father changed his domicile and so his son's domicile before the debtor could acquire a new domicile for himself. His Lordship reviewed the evidence and said: "On the debtor's statement there can be no doubt that he never acquired a permanent home in Hongkong. This illustrates my belief that hardly any Chinaman who is merely a trader here ever tests himself away from and branch from his family village in China which is what is required to establish a domicile in this colony; the whole idea of a permanent establishment in Hongkong with a fixed abode and intention to return to the ancestral village otherwise than as a visitor seems to me inconsistent with the normal ideas of a Chinaman."

Nationality is not domicile, nor domicile nationality. The two things have no relation to one another. Nationality may be evidence of a domicile of origin, but it is not possible to go further than this. There is therefore not the slightest ground for the allegation that the debtor was domiciled in the colony and that order must therefore be rescinded with costs against the petitioning creditor.

Mr. Hastings asked for an order in the terms of the judgment.

Mr. Atkinson pointed out that the receiving order was made by the court and the petitioning creditor should not be made to pay the costs. His application was good at the time it was made.

His Lordship replied that it was based on an allegation which they could not make good.

Mr. Atkinson—The estate was in bankruptcy. His Lordship—It should not have been.

Mr. Atkinson—The estate was in bankruptcy until this morning.

His Lordship—I know. I have declared I have no jurisdiction to make an order. The estate should not have been there.

Mr. Atkinson—It was by the order of the court.

His Lordship—By the order of the court made on a statement which was unfounded.

THE MECCA OF AMERICANS.

The saying that "good Americans when they die go to Paris" was of course inspired by the fact that so many of them go to Paris even while they still have an opportunity of living in the United States. But does the French capital, after all, attract Count Jonathan as powerfully as is commonly believed? Mr. Chaney Depew estimated the number of his fellow citizens resident in Paris as 100,000. The Paris correspondent of the New York Evening Post has no difficulty in showing that this figure must be a great exaggeration. His own outside estimate for the year of the season is 10,000 residents, including students and 5,000 transients. He doubts whether there have ever been as many as 20,000 Americans in Paris on one day. As to the official returns of the Police Department, they place Americans fifth on the list of foreign visitors, their numbers being exceeded by English, by Germans, by Belgians, and by

CANTON.

[FROM OUR CORRESPONDENT.]

December 16th.

SMUGGLING OF AMMUNITION.

The Commissioner of the Kowloon Customs near Macao has reported to the Viceroy that the Customs House officers there have seized a quantity of ammunition on board the small steamer Cheong Kong. The ammunition was packed in two cement barrels purporting to contain cement. They contained 3 packages of gunpowder weighing 111 catties and 20,000 percussion caps. The Captain of the vessel declared that he was ignorant of the contents of the barrels. Upon making further inquiries it was discovered that the ammunition was shipped by an arms store in Macao and consigned to the Yee Shing shop in To Huk Street in the town of Kwonghoi near the Sunning City. The Viceroy immediately cabled instructions to the Sunning Magistrate to arrest the proprietor and the managers of the Yee Shing shop and have them tried and punished. Yesterday His Excellency received a cablegram from the Sunning Magistrate saying that upon receipt of the Viceroy's telegram he immediately went personally to To Huk Street in Kwonghoi to investigate the matter but was unable to find any shop corresponding to the name given by the Viceroy. However, he subsequently discovered a grocer's shop in that street named Hop Shing, and upon making inquiries the inmates informed him that during a clan fight between the Chan and Ng families which occurred sometime ago the Hop Shing shop imported a quantity of fire arms for one of the belligerent parties, whereupon he caused the grocer's shop to be searched and two rifles, one revolver, 150 cartridges and a box of percussion caps were discovered. He has arrested the master and seized the shop.

THE S.S. "FATHAN" AFFAIR.

It was believed that the Viceroy's sound proclamation to which I have previously referred would have stopped all comment pending the new trial at the Portuguese Consulate. But the hingleader referred to in a previous article is agitating more than ever and has convened a meeting for to-day. If this man is not brought to book early I am afraid that the trouble is far from ended. He is a perfect anti-foreign crank, and is known by that nick-name amongst foreigners.

The following is a translation of a circular distributed by the Self-Government Association:

"The Viceroy has issued a proclamation stating that the British Consul had done all in his power and confined his action within the limits of his jurisdiction in the case in which a foreign member of the crew of the steamer Fathman killed a Chinese to death; that the British Consul acted fairly and the proceedings were as regular as could be, and that he never attempted to shift his responsibility."

"We have made inquiries and find that according to the decision of the Hague Conference in 1894 Article 32, section 2, the crew of a vessel after being registered on the ship's articles is under the jurisdiction of the nation to which that vessel belongs, and the steamer is responsible for the safety of passengers and goods. Now a Chinese was killed to death on board of the steamer Fathman which is a British vessel owned by Butterfield and Swire. The Chinese laws have not been modernized and the Chinese Government has no jurisdiction over foreigners. The British Consul's duty is, of course, to protect British trade, but he undertook the responsibility to decide this case in a just manner; consequently he could not shift his responsibilities of public justice on to others. The Fathman is a British steamer, therefore it was perfectly within the British Consul's jurisdiction to try the case and the power of giving a fair and impartial decision in the matter rests entirely with him. The laws governing happenings at sea are different from those applied on a Concession. A man being killed to death on a steamer by a member of the crew and no redress being given cannot be tolerated. Canton and Hongkong are the principal doors of traffic (in the South), and people are obliged to use this way. Life is an important thing. All our brethren should thoroughly investigate this matter. We have decided to hold a big meeting at the association to-day and all our brethren are invited to attend the same."

THE CANTON-HANKOW RAILWAY.

It is reported that during the last three or four weeks the Canton-Hankow Railway Company have collected over \$5,000,000, due on the second instalment of the shares. This sudden change is attributed to the decision recently made by the Central Government to raise funds from foreign countries for the construction of the Hunan and Hupoh sections of the line and has acted as an impetus on the shareholders of the Kwangtung section of the Railway. This will, no doubt, set operations in full swing here.

INTERESTING SHIPPING CASE AT SHANGHAI.

In the United States Court for China, at Shanghai, on the 11th inst., the Hon. J. R. Willey, Judge, rendered judgment in the case of Morris Ginsburg and Marcus Mess (co-partners doing business under the name and style of Ginsburg and Company), versus S. Zimmerman (doing business under the name and style of S. Zimmerman and Company).

Mr. W. S. Fleming and Mr. J. Hays (Messrs. Ellis and Hays) appeared for the plaintiffs, and Mr. J. W. Rice, on behalf of Messrs. Jernigan and Fessenden, appeared for the defendant.

The judgment was as follows: The evidence in this case established the following facts:—On the 23rd day of March, 1907, S. Zimmerman, defendant herein, executed a certain charter party with Morris Ginsburg and Marcus Mess, plaintiffs herein, and owners of the steamship Maori King, for the use and hire of said steamship Maori King for a period of three months, beginning on the 24th day of March, 1907, with the option of renewal for an additional period of three months. The rate to be paid per month was eight thousand seven hundred and fifty dollars (\$8,750.00) Mexican currency.

The amount of the rate was not delivered at the expiration of the above-mentioned period, the defendant was to pay for the use of the same for the extra time she was in use at the above mentioned rate. The steamship was to be re-delivered in good condition, and any time occupied in making repairs should count the same as if the vessel were in use under the charter party. Pursuant to the above-mentioned agreement, on the 24th day of March, 1907, the defendant took delivery of said steamship and kept control of her continuously until the 4th day of November, 1907. The testimony shows that the Maori King was used for the purpose of transporting Chinese coolies from the city of Vladivostok in Siberia to the city of Guaymas in old Mexico. Plaintiff paid for the use of said vessel from the 24th day of March until the 8th day of August, 1907, but since that time has made no payments. The vessel was re-delivered to plaintiffs in an injured and damaged condition. The testimony showed that it would require twelve days to make the necessary repairs to put her in good condition. The amount due for the use of the ship from August 8 to the 4th of November, 1907, under the charter party, at the rate of eight thousand seven hundred and fifty dollars (\$8,750.00) Mexican per month amounts to twenty-five thousand and eighty-three dollars and thirty-three cents (\$25,083.33) Mexican. Estimates have been made for the repair of the vessel, and a fair and reasonable charge for placing the vessel in the condition she was in at the time the charter party was executed amounts to eight thousand one hundred and thirty-three dollars and thirty-three cents (\$8,133.33) Mexican. The cost of the use of the vessel for a period of twelve days at the rate of eight thousand seven hundred and fifty dollars (\$8,750.00) Mexican per month would be three thousand five hundred dollars (\$3,500.00) Mexican. There is practically no dispute in regard to the foregoing facts.

The defendant denies liability on two grounds. First, because the vessel Maori King was, at the time she was chartered, under the control of the crew, and that the crew were not under the control of the defendant. It appears from the evidence that the Maori King, while owned by Russian subjects, had been registered in Shanghai under the name of a British subject, and that after the expiration of this charter party and the re-delivery of the vessel a suit was brought in H. B. M.'s Supreme Court for China and Korea at Shanghai, asking that the vessel be declared forfeited on the ground that the said false registration was in violation of the laws of Great Britain. This suit was sustained and the vessel declared forfeited. It is the contention of the defendant under his contract that he should be absolved from liability on the ground of the crew of the vessel was jeopardized by reason of said false registration. In the second place the defendant seeks to avoid liability on the ground that the steamship in question having been used in the so-called "coolie trade," the enforcement of the terms of the contract would be in violation of the public policy of the United States.

Considering these points in the order named: The evidence shows that the fact that the owners of the vessel jeopardized their title by a false registration did not inconvenience or in any way affect the use of the ship by the defendant under his contract. The position of the defendant in this matter is very much the same as that of a person who has leased a house the title to which has been acquired in a fraudulent manner, but which in no wise affected him in his use and occupation. Suppose, by way of

illustration, a trustee should purchase a house at his own sale, and before the purchase could be set aside he should lease the property so purchased to an individual, who should use and occupy it under his lease without inconvenience or embarrassment. The fact that the title to the property was tainted by fraud would be no defence to a suit by the trustee to recover the amount of the rent stipulated in the lease. In view of the fact that the transaction complained of in no wise affected the defendant in this case in the use of the vessel, this contention would seem to be without merit.

Turning now to the second proposition, that to enforce the contract in question would be to violate the public policy of the United States, it would seem that this proposition is likewise without merit. Sections 2159, 2160 and 2161 of the Revised Statutes of the United States provide that if any vessel belonging in whole or in part to a citizen of the United States, or registered, enrolled or licensed therein, be employed in the coast trade, such vessel shall be liable to seizure and condemnation. These statutes also provide that any person who builds or fits out, equips or loads, or otherwise prepares, or who sends to sea or navigates, as owner, master, factor, agent or otherwise, any vessel belonging in whole or in part to a citizen of the United States, or registered or enrolled or licensed within the same, knowing that such vessel shall be employed in the coast trade, shall be liable to criminal prosecution. None of these sections, however, contain a provision against the shipment of coolies from one foreign port to another in a foreign vessel. The mere statement of the proposition, that a contract between a Russian vessel to ship coolies from Vladivostok to Guaymas violates the public policy of the United States is sufficient to demonstrate its absurdity. The Court is not familiar with any principal of public policy that would be so violated, and is not familiar with any rule of statutory construction which would enable such an interpretation to be placed upon the above-mentioned statutes. If Congress had intended to prohibit citizens of the United States from shipping coolies in a foreign vessel to and from foreign ports, it would likely have inserted a provision to that effect. It is not contended, however, that this contract comes within the language of the law. The contention is indeed a peculiar one. Defendant endeavours to bring the cases in controversy within the purview of a statute which, if it could be pleaded at all, would render him liable to criminal prosecution. In other words, if the spirit of the law, and not the letter of the law, should be applied in this case, the conduct of the defendant would constitute a criminal offence. It is the opinion of the court that this contention is not entitled to serious consideration.

A judgment is therefore rendered in favour of plaintiffs in the sum of thirty-eight thousand nine hundred and eighty dollars and eighty-five cents (\$38,980.85) Mexican currency, and for costs.

Mr. Rice said that on behalf of the defendant he would like to except the judgment of the Court and give notice of appeal.

His Honour—Very well.

Mr. Rice—Will the Court fix a time within which the appeal may be perfected? Mr. Fessenden returns to-morrow, and I think he will probably take this matter up.

To Counsel's suggestion of two weeks his Honour agreed.

Mr. Fleming asked if the allowing of this time was intended as a stay of execution.

His Honour—No, if you want execution issued a bond will be given at any time.

His Honour fixed the amount of the bond at \$40,000, and allowed Mr. Rice till Thursday next to prepare and submit the bond for approval.

In reply to Mr. Fleming his Honour said the amount of the judgment included interest.

Mr. Fleming asked that he be given an opportunity of examining the bond or examining the sureties whom it was proposed to have on the bond. The amount was a very large one and plaintiff, of course, had an interest in finding out the qualifications of the sureties.

His Honour—The Court would also like to look into that somewhat.

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[1553]

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Hongkong, 13th August 1906. 28

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Hongkong, 20th February, 1908. [401]

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LONDON VIA USUAL PORTS	DELTA	Noon, 26th Dec.	See Special of Call.
LONDON and ANTWERP	SICILIA	On 30th Dec.	Freight and Passage.
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For further Particulars, apply to

E. A. HEWETT,
Superintendent.

Hongkong, 17th December, 1908.

CHINA NAVIGATION CO., LIMITED.

SAILINGS SUBJECT TO ALTERATION.

FOR	STEAMERS	TO SAIL
HAIPHONG	"HUPEH"	On 18th Dec., 10 A.M.
CEBU and ILOILO	"KAIKONG"	On 18th Dec., Noon.
TSINGTAU and CHEFOO	"NANCHANG"	On 19th Dec., 2 P.M.
MANILA, ZAMBOANGA, PORT DARWIN, THURSDAY ISLAND, COOKTOWN, CAIRNS, TOWNSVILLE, BRISBANE, SYDNEY, with Transhipment for TASMANIA, NEW ZEALAND, ADELAIDE, FREMANTLE and PERTH.	"TAIYUAN"	On 21st Dec., 4 P.M.
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SHANGHAI VIA SWATOW	"BUJUN MARU"	TUESDAY, 22nd Dec., at 8 A.M.
AMOY & FOCHOW	"Y. FUSANO"	at 8 A.M.
ANPING VIA SWATOW	"SHOSHU MARU"	WEDNESDAY, 23rd Dec., at 8 A.M.
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Hongkong, 17th December, 1908.

1579

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SHANGHAI via NINGPO	"KINGSANG"	Friday, 18th Dec., 4 P.M.
SHANGHAI	"WOSANG"	Friday, 18th Dec., 4 P.M.
MANILA	"LOONGSANG"	Friday, 18th Dec., 4 P.M.
SHANGHAI	"YATSHING"	Sunday, 20th Dec., 4 P.M.
SHANGHAI	"CHOYSANG"	Sunday, 20th Dec., 4 P.M.
SHANGHAI	"KONSHING"	Monday, 21st Dec., 4 P.M.
SINGAPORE, PENANG & CALCUTTA	"NAMSANG"	Tuesday, 22nd Dec., 4 P.M.
SHANGHAI, TSINGTAU, WEI HAIWEI, CHEFOO & CHINGWANTAO.	"CHEONGSHING"	Wednesday, 23rd Dec., Noon.
MANILA	"YUENSANG"	Thursday, 24th Dec., 4 P.M.
SINGAPORE, PENANG & CALCUTTA	"LAISANG"	Saturday, 26th Dec., Noon.
SHANGHAI, YOKOHAMA, KOBE & MOI.	"FOOKSANG"	Monday, 11th Jan., Noon 09

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Hongkong, 24th November, 1908.

[1599]



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DESTINATIONS.	STEAMERS.	TONS.	SAILING DATES.
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YOKOHAMA, E.C. and SEATTLE, via SHANGHAI, MOJI, KOBE, YOKOHAMA, and YOKOHAMA.	SADO MARU Capt. Geo. Anderson.	6227	WEDNESDAY, 6th Jan., 09 at Daylight
SYDNEY and MELBOURNE, via MANILA, THURSDAY ISLAND, TOWNSVILLE and BRISBANE.	* TOBA MARU Capt. T. L. Harrison.	5828	TUESDAY, 22nd Dec., at Noon.
SHANGHAI and KOBE.	* SHINANO MARU Capt. K. Kawa.	6388	TUESDAY, 5th Jan., 09 at Noon.
NAGASAKI, KOBE and YOKOHAMA.	NIKKO MARU Capt. A. E. Moses.	5539	THURSDAY, 24th Dec., at Noon.
KOBE and YOKOHAMA.	KUMANO MARU Capt. N. Mathieson.	5076	FRIDAY, 22nd Jan., 09 at Noon.
	* YETOROFU MARU Capt. K. Sato.	3949	TUESDAY, 22nd Dec., at Noon.
	KUMANO MARU Capt. N. Mathieson.	5076	WEDNESDAY, 23rd Dec., at Daylight
	SANUKI MARU Capt. K. Homma.	6112	SATURDAY, 26th Dec., at Daylight

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Hongkong, 17th December, 1908.

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Hongkong, 14th December, 1908.

[14]

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TJIKINI	JAVA	Second half of Jan.	JAPAN	Second half of Jan.
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[18]

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Hongkong, 24th November, 1908.

[1600]

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Capt. G. ROTT.

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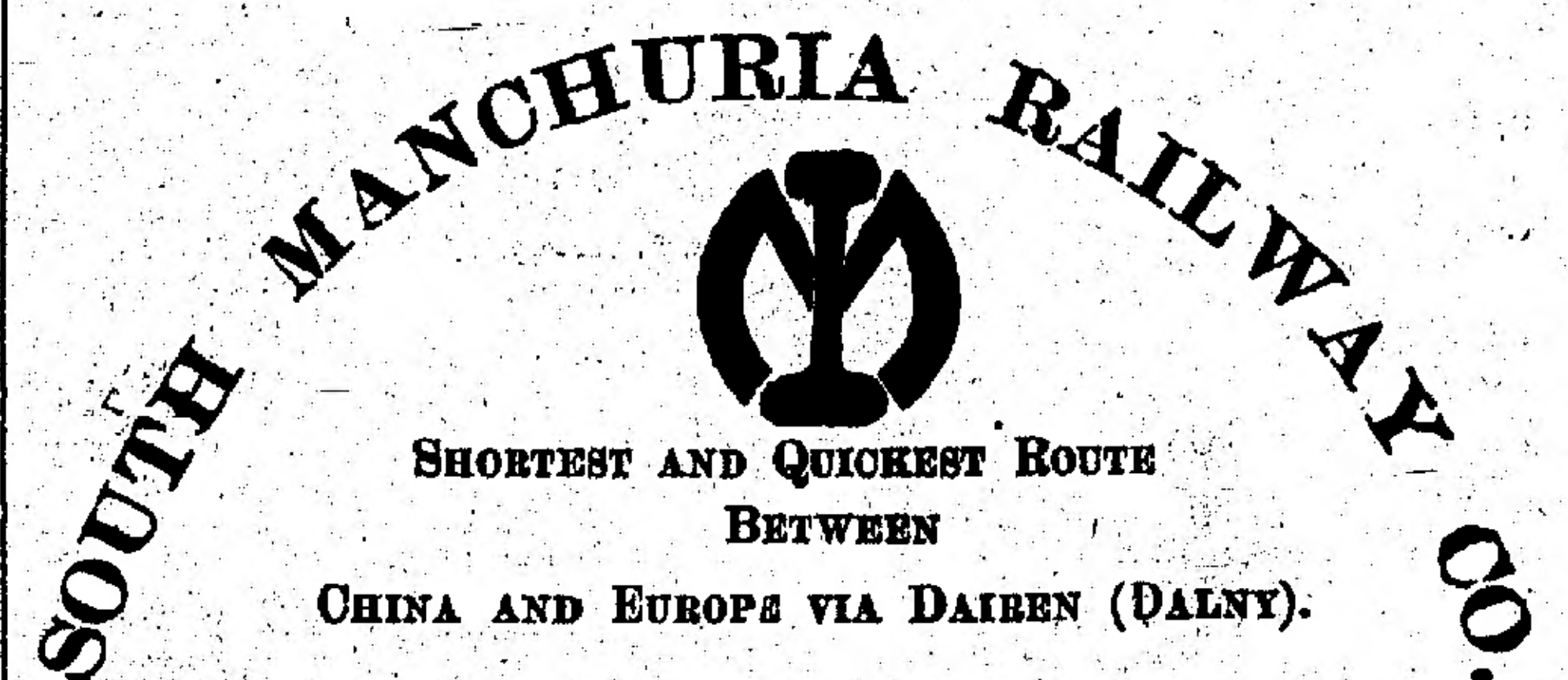
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Hongkong, 1st December, 1908.

[1624]



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